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LAWS

OF HIS MAJESTY

KAMEHAMEHA V.,

KING OF THE HAWAIIAN ISLANDS,

PASSED BY THE

LEGISLATIVE ASSEMBLY,

AT ITS SESSION,

1866--67.

HONOLULU:

PRINTED BY ORDER OF THE GOVERNMENT.

1866.

SESSION LAWS FOR 1866--7.

AN ACT

TO RENDER LEGITIMATE CHILDREN BORN OUT OF WEDLOCK, WHEN THEIR PARENTS SHALL MARRY SUBSEQUENTLY TO THEIR BIRTH.

BE IT ENACTED *by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. All children born out of wedlock, are hereby declared legitimate on the marriage of the parents with each other, and are entitled to the same rights as those born in wedlock.

SEC. 2. This Act shall become a law from and after the date of its passage.

Approved this 24th day of May, A. D. 1866.

KAMEHAMEHA R.

AN ACT

TO PERMIT DIVORCED PERSONS TO MARRY AGAIN.

BE IT ENACTED *by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. That Section 1334 of the Civil Code be, and the same is, hereby amended to read as follows, viz:

"SEC. 1334. Whenever a marriage shall be dissolved for adultery or other offence amounting thereto, either party to the divorce may marry again at any time."

SEC. 2. Upon the application of any divorced person to any officer authorized to grant marriage licenses for a license to

marry again, such officer shall, before granting such person a license to marry, require to be produced before him the original certificate of such person's divorce, or a duly certified copy thereof, under the seal of the Court in which the divorce was decreed.

SEC. 3. This Act shall take effect and become a law from and after the date of its approval.

Approved this 24th day of May, A. D. 1866.

KAMEHAMEHA R.

AN ACT

TO AMEND THE LAW RELATING TO ADULTERY AND FORNICATION.

BE IT ENACTED *by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. Every man who commits adultery shall be punished by a fine not exceeding one hundred nor less than thirty dollars, or by imprisonment at hard labor not more than twelve nor less than three months, or by both fine and imprisonment within the aforementioned limits, in the discretion of the Court: and every woman who commits adultery shall be punished by a fine not exceeding thirty nor less than ten dollars, or imprisonment at hard labor not more than four nor less than two months, in the discretion of the Court.

SEC. 2. Fornication is sexual intercourse between an unmarried man and an unmarried woman. Whoever is guilty of the same shall be punished by a fine not exceeding fifty nor less than fifteen dollars, or by imprisonment at hard labor not more than three months nor less than one month, in the discretion of the Court. But if they shall lawfully marry, with the consent of their parents, then the above penalty shall not be imposed.

SEC. 3. All laws or parts of laws now existing, which are in conflict with the provisions of this Act, are hereby repealed. *Provided*, however, that nothing contained in this act shall be

held to contravene or repeal "An Act to abolish the punishment of women who become pregnant by illicit intercourse," approved on the 17th day of June, A. D. 1862.

SEC. 4. This Act shall take effect and become a law from and after the date of its approval.

Approved this 2d day June, A. D. 1866.

KAMEHAMEHA R.

AN ACT

TO AMEND CHAPTER 9 SECTION 9 OF THE PENAL CODE—ASSAULT AND BATTERY.

BE IT ENACTED *by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. That Section 9 of Chapter 9 of the Penal Code be, and the same is, hereby amended so as to read as follows: "Whoever inflicts a slight corporal injury upon another, as by striking him with his fist, spitting in his face, inciting and causing a dog to bite him, or any injury of a like gravity, however slight, is guilty of an assault and battery, and shall be punished by a fine of not more than one hundred dollars, or by imprisonment at hard labor of not more than twenty days, in the discretion of the Court.

SEC. 2. This Act shall become a law from and after the date of its passage.

Approved this 2d day of June, A. D. 1866.

KAMEHAMEHA R.

AN ACT

TO AMEND SECTIONS 1168 AND 1169 OF THE CIVIL CODE OF CRIMINAL PROSECUTIONS.

BE IT ENACTED *by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. That Section 1168 of the Civil Code be, and the same is, hereby amended so as to read as follows:

"SEC. 1168. In all cases or offenses against the laws of this Kingdom, triable only by a Court of Record, the accused shall be arraigned and prosecuted by an indictment by a legal prosecutor of the Crown, as soon after the commitment of the offence of which he is accused as may be expedient; it being, however, expressly enacted, that the presentation of an indictment against an accused shall not be deferred beyond the term of the court having jurisdiction of the alleged offence next succeeding the commitment of the accused for trial by a magistrate having competent jurisdiction therefor. And the trial shall then and there be proceeded with, unless the same shall be postponed by the court to afford reasonable time to procure evidence on behalf of the prosecution or defence."

SEC. 2. Section 1169 shall be, and the same is, amended so that the Section will read as follows:

"SEC. 1169. The necessary bills of indictment shall be duly prepared by a legal prosecuting officer and be duly presented to the presiding judge of the court before the arraignment of the accused, and such judge shall, after examination, certify upon each bill of indictment, whether he finds the same to be a true bill or not."

SEC. 3. This Act shall become a law from and after the date of its passage.

Approved this 24th day of May, A. D. 1866.

KAMEHAMEHA R.

AN ACT

TO AMEND SECTION 4 OF AN ACT ENTITLED "AN ACT TO REGULATE THE CARRYING OF PASSENGERS BETWEEN THE ISLANDS OF THIS KINGDOM," APPROVED ON THE 10TH DAY OF JANUARY, A. D 1865.

BE IT ENACTED *by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. That Section 4 of An Act entitled "An Act to regulate the carrying of passengers between the Islands of this Kingdom," approved on the 10th day of January, 1865, be, and the same is, hereby amended by striking out the figures "1866" in the second line of said Section, and inserting the figures "1872" in place thereof.

SEC. 2. This Act shall take effect and become a law from and after the date of its passage.

Approved this 30th day of June, A. D. 1866.

KAMEHAMEHA R.

AN ACT

TO AMEND SECTION 21 OF AN ACT ENTITLED "AN ACT TO REPEAL CHAPTER 10 OF THE CIVIL CODE, AND TO REGULATE THE BUREAU OF PUBLIC INSTRUCTION," APPROVED JANUARY 10TH, A. D. 1865, REGULATING THE TIME FOR WHICH CHILDREN MAY BE PLACED AT THE REFORMATORY OR INDUSTRIAL SCHOOL.

BE IT ENACTED *by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. That Section 21 of the Act entitled "An Act to repeal Chapter 10 of the Civil Code, and to regulate the Bureau of Public Instruction," approved on the 10th day of January, A. D. 1865, be, and the same is, hereby amended by striking out the words "for a term of not less than one month or more than six months," and inserting in lieu thereof the

words "for a term not less than six months nor more than two years."

SEC. 2. This Act shall take effect and become a law from and after the date of its approval.

Approved this 6th day of July, A. D. 1866.

KAMEHAMEHA R.

RELATING TO ESCHEATS OF KULEANAS.

BE IT ENACTED *by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. That upon the decease of any person owning, possessed of, or entitled to any estate of inheritance or kuleana in any land or lands in this Kingdom, leaving no kindred surviving, all such land and lands shall thereupon escheat and revert to the owner of the Ahupuaa, Ili or other denomination of land, of which such escheated kuleana had originally formed a part.

SEC. 2. That all laws and parts of laws in contravention of this Act shall be and the same are hereby repealed.

SEC. 3. This Act shall take effect and become a law from and after the date of its passage.

Approved this 6th day of July, A. D. 1866.

KAMEHAMEHA R.

AN ACT

TO EXEMPT VOLUNTEER SOLDIERS FROM CERTAIN TAXES.

BE IT ENACTED *by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. That from and after the date of the passage of this Act, all Volunteer Soldiers who may be enrolled and actually doing duty as active members of any duly authorized,

organized and accepted Corps of Volunteers, shall be exempt from personal taxes, and such soldiers as may be enrolled and actually doing duty as members of Mounted Corps, duly authorized, organized and accepted as aforesaid, shall, in addition to exemption from personal taxes, be entitled to possess and keep two horses each free from taxation. Provided always, that every soldier claiming the exemptions aforesaid shall have been enrolled and doing duty as aforesaid at least one full year previous to the assessment of taxes of each year.

SEC. 2. It shall be the duty of the Commander of each Corps to present to the Assessor of the district in which his Corps has enlisted, a copy of his muster roll containing all the facts necessary to exempt the members of his Corps in accordance with this law, previous to the day on which by law the Assessor may commence his duties for the year, which said muster roll shall be duly verified by the Commander of the Company, made before some officer duly authorized to administer oaths.

Approved this 6th day of July, A. D. 1866.

KAMEHAMEHA R.

AN ACT

TO INCREASE THE SALARY OF THE CIRCUIT JUDGE OF THE ISLAND OF OAHU.

BE IT ENACTED *by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. That Section 6 of an Act entitled "An Act to abolish the Circuit Court of the First Judicial District," approved on the 10th day of January, A. D. 1865, be, and the same is, hereby amended by striking out the word "six," and inserting in the place thereof the word "eight," so that the Section will read as follows:

"SEC. 6. The said Judge shall hold his office during the term of four years from the date of his appointment, but shall

be liable to removal in accordance with the provisions of the Constitution. He shall receive for his services the sum of eight hundred dollars per year, to be paid out of the Treasury in monthly instalments."

SEC. 2. This Act shall become a law from and after the date of its passage.

Approved this 6th day of July, A. D. 1866.

KAMEHAMEHA R.

AN ACT

TO INDEMNIFY THE MINISTER OF FINANCE.

WHEREAS, it appears from the report of the Minister of Finance, presented on the 25th of April, 1866, that the Minister had paid out the sum of $10,668 04 for amount due for repairs on the steamer "Kilauea" in the month of June, 1864:

AND WHEREAS, it likewise appears by the said report that the said Minister of Finance likewise allowed to be paid from the Treasury the sum of one thousand dollars for the portraits of His late Majesty Kamehameha IV. and His Majesty Kamehameha V., which said portraits had been engaged under the authority of the Legislative Assembly of 1864:

AND WHEREAS, it appears that these amounts were justly due and ought to have been paid:

AND WHEREAS, the Minister of Finance has requested a Bill indemnifying those legally responsible, and discharging them from further liability on account of the expenditures aforesaid, now therefore:

BE IT ENACTED *by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. That the Minister of Finance be and he is hereby indemnified and discharged from all liability on account of the expenditures above mentioned, and that the same as in-

serted in the Reports of the Expenditures of the Hawaiian Treasury during the two years ending March, 1866, are hereby approved.

Approved this 6th day of July, A. D. 1866.

KAMEHAMEHA R.

AN ACT

TO PERMIT PUBLICATIONS IN HAWAIIAN TO BE IMPORTED FREE OF DUTY.

WHEREAS, by paragraph 6, Section 517 of the Civil Code, certain articles are permitted to be imported duty free;

AND WHEREAS, publications abroad in the Hawaiian language ought to be added to the Free List, because of the benefits which may be derived therefrom to the Hawaiian people, Therefore,

BE IT ENACTED *by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. That all books, pamphlets, and other publications in the Hawaiian language, published abroad and imported into this Kingdom, shall be admitted free of duty.

SEC. 2. This Act shall take effect from the date of its passage.

Approved the 6th day of July, A. D. 1866.

KAMEHAMEHA R.

RESOLUTION.

WHEREAS, this Legislative Assembly has become apprised that nearly all of the Revenue of the Royal Domain, accruing since the death of His late Majesty Kamehameha IV., of gracious memory, has been used to liquidate the debts with

which the estate had been burdened during His late Majesty's life-time, so that His Majesty, our most gracious Sovereign, to this time, has derived but small advantage therefrom :

AND WHEREAS, this Assembly has likewise been apprised that the amount of indebtedness upon the said estate at the time of His late Majesty's decease was very large, and greatly exceeded the amount which was supposed to be due :

AND WHEREAS, this Legislative Assembly greatefully appreciate the consideration of His Majesty in allowing nearly the entire Revenue of the Estate to be devoted to the liquidation of the debt :

AND WHEREAS, more especially this Assembly and the Nation greatefully appreciate His Majesty's generosity in consenting to the limitation of the Royal Domain, as at present by law provided :—

Now, therefore, be it Resolved. That this Legislative Assembly do, in the name of the Hawaiian Nation, assume the payment of the Exchequer Bonds, issued by the Minister of Finance to the Commissioners of Crown Lands, by virtue of section 1 of "An Act to relieve the Royal Domain from incumbrances, and to render the same inalienable," passed on the 3d day of January, A. D. 1865 ; and do hereby discharge the Commissioners of Crown Lands, having in charge the said Domain, and their successors in office, from all liabilities to pay the said Bonds, principal or interest, or any part thereof.

Approved this 6th day of July, A. D. 1866.

KAMEHAMEHA R.

RESOLUTION.

WHEREAS, the expenses to Her Majesty Queen Emma, in consequence of her lengthened stay abroad, have greatly exceeded her income :

AND WHEREAS, it is the desire of the Hawaiian people that

one so much beloved should not suffer inconvenience from straightened circumstances :

Therefore, be it Resolved, That the Minister of Finance be, and he is, hereby authorized to pay to Her Majesty Queen Emma out of the Public Treasury, from any monies not otherwise appropriated, the sum of three thousand dollars, said sum to be in addition to Her Majesty's Permanent Settlement and independent thereof.

Approved this 16th day of July, A. D. 1866.

KAMEHAMEHA R.

AN ACT.

TO AMEND SECTION 381 OF THE CIVIL CODE.

BE IT ENACTED *by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. That section 381 of the Civil Code be and the same is hereby amended so as to read as follows :

"SECTION 381. The Standards of Weights and Measures shall be those adopted and now used, or that may be adopted and used, by the United States of America."

SEC. 2. This Act shall become a law from and after the date of its passage.

Approved this 27th day of July, A. D. 1866.

KAMEHAMEHA R.

AN ACT

TO AMEND THE LAW RELATING TO THE HOLDING OF ELECTIONS.

BE IT ENACTED *by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. Shat section 781 of the Civil Code be and the same is hereby amended by striking out the word "January,"

in the third line, and inserting the word "February" therefor. so that the section shall read as follows:

"SECTION 781. The elections for Representatives of the people, to sit in the Legislature, shall be held in all the Districts throughout the Kingdom on the first Monday of February. every second year, at such hour and place as shall, from time to time, be designated by the Minister of the Interior, who shall give public notice of the same at least thirty days' previous to the time of election."

SEC. 2. This Act shall become a law from and after the date of its publication.

Approved this 27th day of July, A. D. 1866.

KAMEHAMEHA R.

AN ACT

TO AUTHORIZE THE MINISTER OF FINANCE TO NEGOTIATE A LOAN FOR CERTAIN PURPOSES.

WHEREAS, during the current biennial period Exchequer Bills will fall due at the Treasury; *and whereas*. the Legislative Assembly has, during its present session, authorized the construction of extensive public works; *now, therefore*,

BE IT ENACTED *by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. That it shall be lawful for the Minister of Finance. by and with the advice and approval of His Majesty, in Cabinet Council, to borrow a sum not exceeding Fifty Thousand Dollars. for which said loan the said Minister is hereby authorized to issue Exchequer Bonds, in such sums as may be convenient, at an interest not to exceed twelve per cent. per annum.

SEC. 2. The amount derived from the loan authorized by the preceding section, shall be devoted to the cancelling of such Exchequer Bills, or other evidences of Government indebted-

ness, as may be now outstanding, and which may fall due within the current biennial period.

SEC. 3. *Be it further enacted*, That the Minister of Finance is hereby authorized, by and with the advice and consent of the King and Cabinet, to issue special Exchequer Bonds, to an amount not to exceed Sixty Thousand Dollars, in such sums and for such times as may appear to His Majesty and His Cabinet advantageous to the public interest; and that the said Bonds shall bear interest not exceeding twelve per cent. per annum; and that the sums derived from the said Bonds shall be devoted to the construction and extension of the Water Works for the City of Honolulu, and to the construction of Public Warehouses in the said City.

SEC. 4. The Bonds issued by the authority of the preceding section shall be denominated "Water Stock," or "Warehouse Stock," according to whichever purpose the money derived from the same is designed to be devoted, and the revenues derived from the said Water Works of Honolulu shall be devoted, so far as may be necessary, to the payment of the interest accruing on the Water Stock Bonds; and the rents and revenues derived from Warehouses, which may be built, shall be devoted to the payment of the interest to accrue on the said Warehouse Bonds, and the revenues and rents derived from the said Water Works and Warehouses shall be deemed specially charged with the payment of the interest on the Bonds issued for the construction of the said works respectively.

Approved this 27th day of July, A. D. 1866.

KAMEHAMEHA R.

AN ACT

TO AMEND SECTION 914 OF THE CIVIL CODE OF THE DURATION OF OFFICE OF DISTRICT JUSTICES.

BE IT ENACTED *by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. That Section 914 of the Civil Code be, and the same is, hereby amended so as to read as follows:

"Said District Justices shall hold office for the term of two years from the date of their appointment; provided, however, that any District Justice against whom a complaint may be made by the Attorney General of the Kingdom, or any duly authorized Deputy of the Attorney General, or by any Governor of an Island, for good cause shown, may be removed by the Justices of the Supreme Court, or a majority of them at any time, or by the Circuit Court of the Judicial Circuit in which the District of the Justice so complained of may be situated."

SEC. 2. This Act shall become a law from and after the date of its passage.

Approved this 27th day of July, A. D. 1866.

KAMEHAMEHA R.

AN ACT

DEFINING THE DUTIES OF THE ATTORNEY GENERAL.

BE IT ENACTED *by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. The Attorney General, appointed by virtue of the 42d Article of the Constitution, shall appear for the Crown or Government personally or by Deputy, in all the Courts of Record of this Kingdom, in all cases criminal or civil in which the Crown or Government may be a party, or be interested,

and he shall in like manner appear in the Police and District Courts when requested so to do by the Marshal of the Kingdom or the Sheriff of any one of the Islands.

SEC. 2. He shall also be vigilant and active in detecting offenders against the laws of the Kingdom, and shall prosecute the same with diligence. It shall also be his duty to enforce all bonds or other obligations in favor of Government that may be placed in his hands for that purpose, by any person having the lawful custody of such papers; and he shall likewise be diligent in prosecuting all persons who may obstruct any street, channel, harbor, wharf or other highway, or any stream or public watercourse, or commit any trespass, or waste on any portion of the public domain, or other public property.

SEC. 3. The said Attorney General shall, without charge, at all times when called upon, give advice and counsel to the Ministers, Governors, the Marshal, Sheriffs, Collectors, Justices, and other public officers, in all matters connected with their public duties, and otherwise aid and assist them in every way requisite to enable them to perform their duties faithfully.

SEC. 4. It shall also be the duty of the said Attorney General to give counsel and aid to poor and oppressed subjects of the King, and to assist them in obtaining their just rights without charge; provided, however, that he shall not be obliged to render such aid, counsel and assistance, unless requested so to do by the King, or by some one of the King's Ministers or Governors.

SEC. 5. Said Attorney General shall not receive any fee or reward from or in behalf of any person or prosecutor, for services rendered in any prosecution or business to which it shall be his official duty to attend; nor be concerned as counsel or attorney for either party in any civil action depending upon the same state of facts.

SEC. 6. He shall account with the Minister of Finance every three months for all fees, bills of costs, fines, penalties, and other monies received by him by virtue of his office.

SEC. 7. Said Attorney General shall, when required, give his opinion upon questions of law submitted to him by the King, the Legislative Assembly, or the head of any department.

SEC. 8. The said Attorney General shall receive such salary as may be voted from time to time by the Legislature, which shall be paid to him out of the Public Treasury in equal monthly payments in full for all services rendered by him.

SEC. 9. The Attorney General may from time to time appoint a Deputy for any Judicial District, whensoever the exigencies of the public service may require it, and shall be responsible for all the acts of such deputy or deputies.

SEC. 10. All the duties imposed by existing laws on District Attorneys formerly, are hereby required to be performed by the Attorney General, and Chapter 23d of the Civil Code from Section 1080 to 1095, and the Act entitled "An Act for the appointment of an Attorney General," passed on the 30th day of June, A. D. 1862, are hereby repealed.

Approved this 27th day of July, A. D. 1866.

KAMEHAMEHA R.

RESOLUTION.

Resolved, That the salary which has been passed by the Legislative Assembly for the Circuit Judge of the First Judicial District, for the Island of Oahu, by the amendment of section 6, of the Act approved on the 10th day of January, A. D. 1865, shall be paid from the 1st day of April, A. D. 1866, and that an appropriation be made accordingly.

Approved this 27th day July, A. D. 1866.

KAMEHAMEHA R.

AN ACT

TO AMEND THE LAW RELATING TO THE COMMISSION OF BOUNDARIES.

BE IT ENACTED *by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. That the term of the continuance of the "Commission of Boundaries," established by an Act approved on the 23d day of August, A. D. 1862, be, and the same is, hereby extended to the 23d day of August, 1872.

SEC. 2. That from and after the date of the passage of this Act, the First Associate Justice of the Supreme Court be substituted for, and he is hereby appointed sole Commissioner of Boundaries, in lieu of the several Commissioners provided by the Act of the 23d of August, A. D. 1862; and all the powers and duties devolved upon the aforesaid several Commissioners by the said Act are hereby devolved upon the said sole Commissioner hereby appointed.

SEC. 3. That the time allowed to the owners of Ahupuaas and Ilis of land for filing their applications to have the boundaries of their lands decided and certified by the Commission of Boundaries, be, and the same is, hereby extended to the 23d day of August, 1870.

SEC. 4. If the owner of any Ahupuaa or Ili of land coming within the purview of the law establishing the Commission of Boundaries, shall make default in filing a proper application with the Commission on or before the 23d day of August, A. D. 1870, he may be summoned by the Commission, at the instance of His Majesty's Minister of the Interior, or Attorney General, and it shall be lawful for the Commission to proceed to decide and certify the boundaries of the said Ahupuaa or Ili, and the owner thereof shall be mulcted in double costs, as a penalty for his default.

SEC. 5. All applications on file with the several Commissioners appointed under the Act of the 23d of August, A. D. 1862, and all records in their possession shall, immediately after the passage of this Act, be by them transferred to the sole Commissioner hereby appointed.

SEC. 6. Any party deeming himself aggrieved by the decision of the Commissioner hereby appointed, may appeal therefrom to the Supreme Court in Banco: provided, however, that notice of such appeal shall be filed with the Commissioner within sixty days after the rendition of his decision.

SEC. 7. Said Commissioner shall receive the sum of ten dollars for each and every day he shall be employed in settling boundaries; two dollars for each certificate granted, fifty cents for every hundred words contained in the description in such certificate, and twenty-five cents for every hundred words contained in the record of the testimony in the case.

SEC. 4. This Act shall take effect and become a law from and after the date of its passage.

Approved this 27th day of July, A. D. 1866.

KAMEHAMEHA R.

AN ACT

TO AMEND AN ACT ENTITLED "AN ACT TO FIX THE SALARY OF THE SECOND ASSOCIATE JUSTICE OF THE SUPREME COURT, AND AMEND SECTION 846 OF THE CIVIL CODE."

BE IT ENACTED *by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. That Section 1 of the Act entitled "An Act to fix the salary of the Second Associate Justice of the Supreme Court, and amend Section 846 of the Civil Code," approved December 30th, 1864, be, and the the same is, hereby amended by striking out the words "three thousand" in the third line of said Section, and inserting in the place thereof the words "thirty-five hundred," so that the Section will read as follows:

"SEC. 1. Section 846 of the Civil Cod is hereby amended by striking out the words "two thousand" in the fifth line of the English version, and substituting the words "thirty-five hundred."

SEC. 2. This Act shall become a law from and after the date of its passage.

Approved this 26th day of May, A. D. 1866.

KAMEHAMEHA R.

APPROPRIATION BILL FOR 1866--67.

BE IT ENACTED *by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:*

SECTION 1. That the following sums amounting to eight hundred and fifty-eight thousand eight hundred and ninety-seven dollars and sixty-eight cents be and they are hereby appropriated out of any money in the Treasury for the service of the biennial fiscal period commencing with April 1st, 1866, and ending March 31st. 1868, namely:

CIVIL LIST.

H. M. Privy Purse, etc.	$ 35,000 00
" Chamberlain and Secretary	5,000
	$40,000

PERMANENT SETTLEMENTS.

H. M. Queen Emma	$ 12,000
H. H. M. Kekuanaoa	8,000
	$20,000

DEPARTMENT OF THE INTERIOR.

Salary of Minister	$ 10,000
" Chief Clerk	4,000
" 2d Clerk	3,000
" Messenger and yard boy	988
" Keeper of Royal Mausoleum and grounds	600
" Governor of Maui	3,600
" " " Oahu	3,600
" " " Kauai	2,400
" " " Hawaii	2,000
" Clerk Governor of Maui	600
" " " Oahu	600
" " " Kauai	500
" " " Hawaii	1,200
Surveying	800

Fire Department of Honolulu	$ 7,255
Fire Engine for Company No. 4, Honolulu	2,000
Salary of Marshal	6,000
" Sheriff of Maui	4,000
" " Hawaii	4,000
" " Kauai	2,000
" Clerk Sheriff of Maui	1,000
" " " Hawaii	1,000
Support of Prisoners	9,000
Jailor of Oahu Prison	3,000
Police of Oahu	18,600
" Maui	6,200
" Hawaii	6,856
" Kauai	2,000
Stationery of Police and District Courts	500
Incidentals of Department	1,500
Postmaster General	3,600
Clerk of Postmaster General	2,400
Completing Copy of Privy Council Records	200
Mail Carriers, Hawaii	2,000
" Maui and Molokai	800
" Oahu	624
" Kauai and Niihau	400
Expenses Board of Health	20,000
Government Printing, ($1,200 of said sum to be expended in the translation and publication of cases in the 1st and 2d Vols. Hawaiian Reports, to be selected by the Justices of the Supreme Court)	11,200
Rent Government Offices	2,400
Encouragement Agriculture and Immigration	5,000
Water Supervisor and Clerk of Market	3,600
Pay of Road Supervisors	9,000
Purchase of Road Stock	1,500
Road Damages	1,000
Roads and Bridges on Hawaii	10,000
" " Maui	4,000
" " Oahu	5,000
" " Kauai	1,000
Wharves and Buoys for Honolulu	15,000
Dredging Honolulu Harbor	15,000
Increase of Water Works	20,000
New Water Pipes	3,000
Steamer Pele, etc	10,000
Insane Asylum	16,000
Royal Mausoleum	4,000
Anchors and Buoys	10,000
Landing at Hamakua, Hawaii	1,200
To complete Harbor of Honomalino	700

Court House and Prison, Wailuku	$ 2,000
" " Kauai	1,200
Apprehension of Criminals, etc	3,000
Lighthouse at Lahaina	500
Purchase Standard Weights and Measures	800
" Ballot Boxes	200
To complete Wharf at Lahaina	600
Powder Magazine	1,500
Repairs and Improvements of Government Buildings	20,000
Purchase of Books for Government Library	1,000
Government Warehouses	40,000
For a Royal Palace	40,000
	$398,223 00

DEPARTMENT OF FOREIGN AFFAIRS.

Salary of Minister	$ 10,000
" Secretary	4,000
H. M. Charge d'Affaires, London	1,600
Office Expenses, Foreign Agents	2,000
Postage, Stationery and Incidentals	2,000
Expenses of Foreign Missions	3,000
	$22,600 00

DEPARTMENT OF FINANCE.

Salary of Minister	$ 10,000
Registrar of Public Accounts	4,000
Salary of Collector General of Customs	6,000
" Clerk " "	3,600
Salary Custom House Surveyor and Guard at Honolulu	2,400
Storekeeper, Honolulu	2,400
Collector and Harbormaster, Kawaihae	400
" " " Kealakekua	200
Assistant Guards at Honolulu and other ports	1,600
Stationery and Incidentals Custom House	1,500
Pay of Assessors	7,000
Pay of Collectors	7,000
Incidentals of Department	1,200
Rent of Wharf Lot	2,000
Aid in Support of Queen's Hospital	10,000
Hospital Fund, estimated receipts	3,000
Lights at Lahaina	500
" Kawaihae	200
National Debt falling due	48,850
Interest on National Debt	24,460
" School Fund	5,125
" Scholarships	360

Endowment of Scholarships	$ 1,500	
Custom House Boats	700	
	$143,995	00

DEPARTMENT OF WAR.

For the Support of Military	$ 66,026	20

DEPARTMENT OF PUBLIC INSTRUCTION.

Salary of Inspector General	$ 4,000	
" Clerk	3,000	
Stationery and Incidentals	600	
Support of Hawaiian and English Schools, etc	24,000	
Reformatory School	5,824	
Census of 1866	3,500	
Aid to L. Andrews in compiling an Hawaiian History, to be expended in the discretion of the Board	1,000	
	$41,924	00

DEPARTMENT OF LAW.

Salary of Chancellor and Chief Justice	$ 10,000
" 1st Associate Justice, Supreme Court	8,000
" 2d " " " "	7,000
" Attorney General	10,000
" Clerk of Attorney General	2,400
" One Circuit Judge, Oahu	1,600
" Circuit Judges, Hawaii	3,600
" Circuit Judge, Maui	2,400
Travelling Expenses	200
Salary Circuit Judge, Kauai	2,000
" Police Justice, Honolulu	4,000
" " " Lahaina	2,000
" " " Hilo	1,600
" Clerk of Circuit Court, 2d Circuit	400
" 1st " " 3d "	300
" 2d " " 3d "	300
" " " " 4th "	300
Salary of Clerk Supreme Court	4,000
" 2d " " "	2,400
" Interpreter and Government Translator	3,000
Expenses of Supreme Court, including expenses of witnesses in criminal cases	2,200
Expenses of Circuit Court, 2d Circuit, including travelling expenses of Judges and Attorney General	1,200
Expenses of Circuit Court, 3d Circuit, including as above	1,000
" " " 4th " " "	400

Stationery Supreme and Circuit Courts		$	500
Purchase of Law Books			500
Salary District Judge, Puna, Hawaii			600
" "	Kau, "		600
" "	N. Kona, "		600
" "	S. Kona, "		600
" "	N. Kohala		600
" "	S. Kohala "		600
" "	Hamakua "		600
" "	Hilo Ak. "		500
" "	Wailuku, Maui		700
" "	Hamakua, "		600
" "	Hana, "		600
" "	Kaupo, "		600
" "	Lanai, "		400
" "	Molokai, "		600
" "	Ewa and Waianae, Oahu		600
" "	Waialua and Koolauloa, Oahu		600
" "	Koolaupoko, Oahu		600
" "	Hanalei and Anahola, Kauai		700
" "	Lihue, Kauai		600
" "	Koloa, "		600
" "	Waimea, (Kauai,) and Niihau		600
			$83,800

MISCELLANEOUS EXPENDITURES.

Annuity for L. Andrews	2,000	
" John Ii	2,000	
Secretary Privy Council, $5 each meeting	200	
Stationery and Incidentals Privy Council	100	
Expenses of Legislature	15,000	
R. C. Wyllie's advances to War Department	2,998	38
Sir John Bowring's Expenses	3,000	00
Salaries due and unpaid	1,264	45
Expenses of the Funeral of Her late Royal Highness Princess Victoria Kamamalu Kaahumanu	12,766	65
Expenses of H. M. Queen Emma	3,000	
	$42,329	48
Total	$858,897	68

SEC. 2. The Minister of Finance shall credit to the appropriations of 1864 and 1865 all the amounts appropriated by the Act approved January 10th, 1865, and remaining unexpended on the 31st of March, 1866, not otherwise specifially reappropriated, and such amounts shall be deemed no longer available

for the objects for which they were originally appropriated

SEC. 3. The Minister of Finance shall continue to pay the salaries appropriated by this Act, the compensation of Soldiers and Constables, the expenses of the Fire Department, of the Supreme and Circuit Courts, Exchequer Bills and Government Stocks and the interest accruing thereon, together with the interest on the School Fund invested in the Treasury until the 30th day of June, 1868, unless new appropriations are made previous to that date.

SEC. 4. The Minister of Finance shall not cause or allow to be paid out of the Treasury any money for objects not provided for by this law; provided however, that all sums temporarily deposited in the Treasury for which certificates of deposit are issued and the interest thereon may be paid when due, without special appropriation for that object; and provided further, that in the event of war, invasion, rebellion, pestilence or other public disaster arising, His Majesty in Privy Council may appropriate such amount as may be necessary to meet such emergency, and the Minister of Finance shall render to the next Legislature a detailed account of the same.

SEC. 5. It shall be lawful for the heads of departments in case where special appropriations may fall short to apply to the same the surplus of other special appropriations not required to be expended so as to make up the deficiency; each head of department duly accounting to the Legislature for such transfer; but in no case shall the appropriations for internal improvements in one gubernatorial division be transferred to another.

SEC. 6. No person holding one or more offices for which salaries may be provided shall be authorized to draw for more than the salary of the highest grade of office held by him, if the salary of either of the offices held by him shall amount to two thousand dollars or more per annum, and he shall be entitled to no other or further compensation.

SEC. 7. This Act shall take effect and be in force from and after the day of its passage.

Approved the 16th day of July, A. D. 1866.

KAMEHAMEHA R.

The Original Laws
for act of Extra Session
of 1867.